

AMENDMENT TO H.R. 2419, AS REPORTED
OFFERED BY MR. ISRAEL OF NEW YORK

At the end of title XI add the following new section:

1 **SEC. ____ . PROHIBITION ON USE OF LIVE ANIMALS FOR**
2 **MARKETING MEDICAL DEVICES; FINES**
3 **UNDER THE ANIMAL WELFARE ACT.**

4 (a) PROHIBITION ON USE OF ANIMALS FOR MAR-
5 KETING OF MEDICAL DEVICES.—The Animal Welfare Act
6 (7 U.S.C. 2131 et seq.) is amended by inserting after sec-
7 tion 17 the following new section:

8 “PROHIBITION ON USE OF LIVE ANIMALS FOR
9 MARKETING MEDICAL DEVICES

10 “SEC. 18. (a) IN GENERAL.—No person may use a
11 live animal to—

12 “(1) demonstrate a medical device or product to a
13 sales representative for the purpose of marketing such
14 medical device or product;

15 “(2) train a sales representative to use a medical de-
16 vice or product;

17 “(3) demonstrate a medical device or product in a
18 workshop or training session for the purpose of marketing
19 a medical device or product; or

1 “(4) create a multimedia recording (including a video
2 recording) for the purpose of marketing a medical device
3 or product.

4 “(b) EXCEPTION.—Subsection (a) shall not apply to
5 the training of medical personnel for a purpose other than
6 marketing a medical device or product.

7 “(c) DEVICE DEFINED.—In this section, the term
8 ‘device’ has the meaning given the term in section 201(h)
9 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C.
10 321(h)).”.

11 (b) FINES FOR VIOLATIONS OF THE ANIMAL WEL-
12 FARE ACT.—Section 19(b) of the Animal Welfare Act (7
13 U.S.C. 2149(b)) is amended—

14 (1) in the first sentence by striking “not more
15 than \$2,500 for each such violation” and inserting
16 “not more than \$10,000 for each such violation”;
17 and

18 (2) by striking the second sentence and insert-
19 ing the following: “Each violation, each day during
20 which a violation continues, and, in the case of a vio-
21 lation with respect to animals, each animal that is
22 the subject of such a violation shall be a separate of-
23 fense.”.

24 (c) REPORTS ON ACTIVITIES UNDER THE ANIMAL
25 WELFARE ACT.—The Animal Welfare Act (7 U.S.C. 2131

1 et seq.) is further amended by striking section 25 and in-
2 serting the following new section:

3 “ANNUAL REPORT

4 “SEC. 25. Not later than March 1 of each year, the
5 Secretary shall submit to Congress a report containing—

6 “(1) an identification of all research facilities,
7 exhibitors, and other persons and establishments li-
8 censed by the Secretary under section 3 and section
9 12;

10 “(2) an identification of all research facilities,
11 intermediate handlers, carriers, and exhibitors reg-
12 istered under section 6;

13 “(3) the nature and place of all investigations
14 and inspections conducted by the Secretary under
15 section 16, and all reports received by the Secretary
16 under section 13;

17 “(4) recommendations for legislation to improve
18 the administration of this Act or any provisions of
19 this Act; and

20 “(5) recommendations and conclusions con-
21 cerning the aircraft environment as it relates to the
22 carriage of live animals in air transportation.”.